United States District Court
SOUTHERN DISTRICT OF CALIFORNIA

Jon P. Fusco, Jo Anne Fusco, and Ken Carter
Plaintiff,

v.

Jenny Craig, Inc. And Jenny Craig International, Inc.
Defendant

No. 08-CV-0541-L (RBB)

FILED
08 APR 10 AM 10: 42
DISTRICT COURT
DISTRICT OF CALIFORNIA
BY: DEPUTY

REPORT OF CLERK AND ORDER OF TRANSFER PURSUANT TO "LOW-NUMBER" RULE.

REPORT OF CLERK PURSUANT TO LOW NUMBER RULE

Re: "Low Numbered" Case No. 08-CV-0354-JM (BLM)

Title: Jenny Craig Franchising, LLC v. DMJ, Inc.

Nature of Case: ______

The above "low numbered" case and the present case appear

X (1) to arise from the same or substantially identical transactions, happenings or events; or

___ (2) involve the same or substantially the same parties or property; or

___ (3) involve the same patent or trademark or different patents or trademarks covering the same or substantially identical things; or

X (4) call for determination of the same or substantially identical questions of law; or

___ (5) where a case is refiled within one year of having previously been terminated by the Court; or

X (6) for other reasons would entail unnecessary duplication of labor if heard by different judges.

New Case #: 08-CV-0541-JM (BLM)

This case was transferred pursuant to the Low Number Rule. The related cases have been assigned to the same judge and magistrate judge but they are NOT CONSOLIDATED at this point; all pleadings must still be filed separately in each case.

W. Samuel Hamrick, Jr., Clerk of Court,

DATED: April 4, 2008 By: [signature]

(By) M. Jenkins, Deputy

ORDER OF TRANSFER PURSUANT TO "LOW NUMBER" RULE

I hereby consent to transfer of the above-entitled case to my calendar pursuant to Local Rule 40.1, Transfer of Civil Cases under the "Low Number" Rule.

DATED: 4/7/08 [signature]

Jeffrey T. Miller
United States District Judge

It appearing that the above-entitled case is properly transferable in accordance with the provisions of the "Low Number" Rule, IT IS HEREBY ORDERED that this case is transferred to the calendar of Judge Jeffrey T. Miller and Magistrate Judge Barbara Lynn Major for all further proceedings.

DATED: 4/9/08 [signature]

M. James Lorenz
United States District Judge